

GAU 3618 +

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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| | |
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| Application Number | 09/207,634 |
| Filing Date | Dec. 9, 1998 |
| First Named Inventor | Joseph J. Berke |
| Group Art Unit | 3618 |
| Examiner Name | Bridget Avery |
| Attorney Docket Number | 1374-098 |

Total Number of Pages in This Submission

5

ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Checklist and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Additional Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|------------------------------|
| Firm or Individual name | Alex Rhodes, Reg. No. 26,797 |
| Signature | <i>Alex Rhodes</i> |
| Date | September 22, 2000 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: **Sept. 22, 2000**

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| Signature | <i>Alex Rhodes</i> | | |

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph J. Berke et al.

Atty Docket No. 1374-098

Serial No. 09/207,634

Group Art Unit: 3618

Filed: Dec. 9, 1998

Examiner: Bridget Avery

For: **BAG CARRIER**

Response to Paper No. 4

#5/B
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Response with Amendment

Assistant Commissioner for Patents
BOX NON FEE AMENDMENT
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Sir:

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SEP 28 2001

This is a timely response with amendment to the Examiner's 's office action, having a mailing date of June 22, 2000. Please amend the above identified application as follows:

IN THE CLAIMS:

B.1
5. (twice amended) In combination with a cart, a carrier mounted on an upper portion of said cart for transporting a closed bag or sack, said carrier having a pair of elongated jaws, and a means for clamping said jaws to and releasing said jaws from an upper portion of [a] said closed bag or sack, and a handle attached to at least one of said jaws.

B.2
14. (twice amended) In combination, a 2-wheel cart, said cart having a tubular frame which is vertically adjustable, and a pivotable lower shelf portion attached to said frame which is selectably foldable from a vertical stored non-load supporting position to a horizontal load